

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Bryon Perez, et al., On behalf of themselves and
other members of the general public similarly
situated,

Plaintiffs,

v.

A+ Building Maintenance and Home
Repair, LLC, et al.,

Defendants.

Civil Action No. 3:17-cv-1261

Magistrate: James R. Knepp, II

ORDER


This matter is before the Court on the parties Joint Motion for Approval of Settlement and General Release (“Joint Motion”) pursuant to § 16(b) of the Fair Labor Standards Act, 29 U.S.C. § 216(b) (“FLSA”). The Joint Motion asks the Court to approve, as fair and reasonable, the proposed Settlement reached by the Parties and memorialized in the Settlement Agreement and General Release (“Agreement”), which was attached to the Joint Motion.

Having reviewed the Joint Motion, the Agreement, and the pleadings and documents on file in this Action, and for good cause established therein and through the Court’s Settlement Conference on October 15, 2018, the Court enters this Order approving the Settlement and the Agreement, including the attorneys’ fees and costs to Plaintiffs’ Counsel, as follows:

1. The Court finds the proposed Settlement Agreement is fair and reasonable and satisfies the standard for approval under § 16(b) of the FLSA;

2. The Court approves the Settlement Agreement;
3. The Court approves the payment of attorneys' fees to Plaintiffs' Counsel as provided in the Agreement and orders that such payments be made in the manner and subject to the terms and conditions set forth in the Agreement;
4. The Court dismisses the claims of the following Plaintiffs with prejudice: , with each side to bear the costs and attorneys' fees except as set forth in the Agreement. The Court finds there is no just reason for delay and directs the Clerk of the Court to enter this Order immediately;
5. The Court dismisses the claims of Plaintiffs Carpenter and Parton without prejudice with all claims tolled for sixty (60) days from the date of the entry of this Order for purposes of refiling.
6. The Court retains jurisdiction over the Settlement and Agreement.
7. It is hereby **ORDERED** that the Motion is **GRANTED** and the settlement of this action is **APPROVED** because it represents a fair and reasonable settlement of a *bona fide* dispute under the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.* This action is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED



HONORABLE JAMES R. KNEPP, II
UNITED STATES MAGISTRATE JUDGE